

REMARKS

Reconsideration of this application as amended is respectfully requested.

The drawing was objected to on the ground that reference number "66" does not appear on the drawing. Reference number 66 has been added to Figure 3. Reference number 66 is to a bell crank assembly that includes a left bell crank arm 68 and a right bell crank arm 70. Both bell crank arms 68 and 70 that form assembly 66 are shown in Figure 3. Reference numbers have been added to all drawings by a patent drawing company. All Figures have therefore been replaced.

SPECIFICATIONS

The disclosure was objected to because Paragraph [0024] calls item 144 both an "actuator rod" and "a brake lock plate." Paragraph [0024] as amended on line 3 sets forth "actuator rod 142 of a brake master cylinder". Plate 144 is a "brake lock".

CLAIMS

Claim 1 was objected to because of an informality on line 8 as filed. The portion with the informality has been cancelled.

Claim 1 was rejected as being anticipated by Bell (U.S. 5,280,515). Claim 1 has been amended to set forth "a vertical height adjustment frame slidably attached to the mast," "a bell crank pivotally attached to the mast... a bell crank first end pivotally attached to the vertical height adjustment frame... a linear actuator pivotally attached to the bell crank second end and pivotally attached to

the primary collar". Claim 1 as amended also includes "at least one tire and wheel... driven by the motor through a multi ratio transmission". Bell discloses a cranking assembly 16 that can move column 15 vertically. (column 3, lines 1 and 2). The crank, as shown in Figure 1, is moved manually. Bell does not suggest the claimed bell crank in combination with a linear actuator for vertical height adjustment of the at least one tire and wheel. Claim 1 as amended also includes a multi ratio transmission. Bell's drive train includes a hydraulic motor 22. In view of the linear actuator and bell crank and the multi ratio transmission claim 1 is patentable over the patent to Bell.

Claims 2, 4 and 5, which are dependent upon claim 1, are allowable together with claim 1 for reasons set forth above.

Claim 3 has been substantially incorporated in claim 1 as amended. Claim 3 has therefore been canceled.

Claims 1-5 were also rejected as unpatentable over Bjorklund in view of Fraser. Claim 1 as amended includes a hitch member fixed to the primary collar to permit the trailer to be attached to a vehicle for movement on a highway. The wheel of applicant's power unit is raised upward and off the ground during towing. If the wheel remained on the ground, it would lift an end of the towing vehicle when moving over a high area of a road. Neither Bjorklund or Fraser suggested the fixed hitch or the multi ratio transmission. The toe bar suggested by Bjorklund (column 4, line 10-12) would be pivotally attached due for pivotal movement about a horizontal transverse axis to the vertically fixed tires 40. Claim 1 as amended is therefore allowable.

The combination of Bjorklund and Fraser in the rejections of claims 1-5 is improper. There is no suggestion in the two references to support the

combination. The Bjorklund vehicle can float and is attachable to a boat in deep water. The wheels 96 and 100 as well as the wheels 40 are vertically fixed. The keel pad 82 and the frame members 59 and 60 are fixed. A boat could not be unloaded on the ground by moving the wheels vertically. Moving the wheels 38 and 40 as suggested in the rejection would not serve any purpose suggested by the two patents. Fraser discloses a propelled cradle designed specifically to retrieve a boat from the water and place the boat on a dry surface. The frame 6 is a u-shaped assembly. Beams 34 can be removed. All of the wheels 8 and 13 of Fraser move up and down to lower the frame 6 to the ground and to raise it from the ground. All of the wheels 8 and 13 are on arms that pivot. None of the wheels are on a frame member that slides. The disclosure of Bjorklund and Fraser do not suggest a ground engaging wheel that is slidably attached for vertical movement.

Claims 1, 2, 4 and 5 were also rejected as being unpatentable over Bjorklund in view of Bell. Claim 1 as amended includes a vertical height adjustment frame that is slidably attached to the mast, a bell crank pivotally attached to the mast and a linear actuator for sliding the vertical height adjustment frame. It is also noted that there is no reason suggested in Bjorklund for moving wheels vertically. The wheels 40 would not serve any function if they were moved vertically. They are necessary ground support members. The vehicle floats on the water and the seat 50 is well above the main frame thereby keeping the operation high and dry. It is also noted that neither Bjorklund or Bell suggest a multi ration transmission. In view of the above claim 1 is allowable over Bjorklund in view of Bell.

Claims 2, 4 and 5 are dependent upon claim 1 and are allowable together with claim 1.

Claims 6-9 were rejected as unpatentable over Bell in view of Fraser.

Claim 6 as amended includes a primary collar, a primary mast with a front vertical member fixed to the primary collar a primary mast rear vertical member fixed to the primary collar and a primary horizontal beam fixed to the primary mast vertical members; a vertical height adjustment frame slidably attached to the primary front vertical and the primary rear vertical member; and a power unit frame pivotally connected to the vertical height adjustment frame for pivotal movement about a generally vertical axis. Bell and Fraser together do not suggest the combination of structure set forth above.

In addition, claim 6 as mended includes a multi ratio transmission connecting the power unit to the driven wheel. Both Bell and Fraser employ hydraulic motors to drive their driven wheel. In view of the above claim 6 is allowable over Bell in view of Fraser.

Claims 7-10 are dependent upon claim 6 and are allowable together with claim 6.

Claim 11 is original claim 10 rewritten in independent form. The claim has also been amended to state that the motor is mounted on the power unit frame to be more precise. Claim 10 was allowed subject to being rewritten in independent form. Claim 11 is therefore allowable.

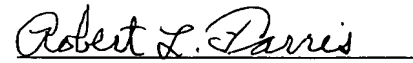
Claims 12 and 13 are dependent upon claim 11 and are allowable together with claim 11.

This application is in condition for allowance for reasons set forth above. Reconsideration and allowance is therefore respectfully requested.

Respectfully submitted

Donald Reichard

By his attorney,

A handwritten signature in cursive script, reading "Robert L. Farris", is written over a horizontal line.

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